



## Arlington Conservation Commission

Date: August 15, 2019

Time: 7:30pm

Location: Second floor conference room, Town Hall Annex  
730 Massachusetts Ave, Arlington, MA

### Minutes

Attendance: *Commission Members David White, Chuck Tirone, Mike Nonni, Susan Chapnick, and Pam Heidell; Associate Commissioner Cathy Garnett, and Conservation Agent Emily Sullivan. Also present were Anthony Pietroforte, Marc Jacobson, as well as other members of the public who did not sign in.*

*Commission Member Nathaniel Stevens was not present.*

### Administrative Items

#### **Cathy Garnett - Project Idea**

C. Garnett presented her project idea to the entire Commission. C. Garnett would like to review the last 10 year's worth of permitted projects along Spy Pond and Mystic Lake to determine the conditions the Commission applied that relate to revegetating the pond's banks and work in the vegetated buffer zone and to visit these locations to observe current conditions for best practices. C. Garnett produced a buffer zone guide for a project when she worked with the Department of Conservation and Recreation. C. Garnett would like to produce something similar for Arlington, that proposes what a formal vegetated buffer around a resource area water body such as Spy Pond should be. This guide would include appropriate buffer widths, species, and examples of projects that were successful. The Commission agreed that this would be a valuable guide as a public education tool, and stated its support for the project. It was also requested that C. Garnett consider the DEP's recent Buffer Zone report in development of the guide.

#### **Spy Pond Hatch Invoice #12 (\$4,750.12)**

The Commission reviewed the \$4,750.12 invoice submitted by Hatch for construction administration services for the Spy Pond project. E. Sullivan recommended approving the invoice. S. Chapnick motioned to approve the invoice, C. Tirone seconded, all were in favor, motion approved.

### **Town Day Activities**

E. Sullivan reminded the Commission that Town Day is on Saturday, September 14. M. Nonni suggested that the Commission have an engaging activity related to rain gardens and bioretention basins. The Town recently received funding for the construction of additional rain gardens and bioretention basins, so an activity would help spread the news and educate residents about the importance of stormwater management. M. Nonni volunteered to take the lead on the activity, and E. Sullivan offered her help.

### **Zoning Bylaw Working Group Update**

P. Heidell updated the Commission that the Zoning Bylaw Working Group reviewed a proposed scope of work for a Request For Proposals for a study on Arlington's industrial districts. P. Heidell stated that since Mill Brook lies partially within industrial zones, the study will be of interest to the Commission.

### **Public Lands Maintenance Working Group Update**

E. Sullivan updated the Commission that the Public Lands Maintenance Working Group would be meeting in September to discuss a town-wide invasive species management plan.

### **Request for Extension of Order of Conditions: Parker Road Neighbors Mystic Lake Treatment**

DEP File Number: 091-0277

Documents Reviewed:

- 1) Order of Conditions, dated 8/24/2016
- 2) Request for Extension, prepared by Solitude Lake Management, dated 7/24/2019

Resource Areas:

- 1) Upper Mystic Lake
- 2) 100-Foot Wetlands Buffer Zone

E. Sullivan stated that Solitude was requesting an extension on behalf of a neighborhood group. Solitude was unable to attend the public hearing, and requested that the agenda item be continued to the September 5th, 2019 Commission meeting. C. Tirone stated that since the Order of Conditions expires on August 24th, 2019, the public hearing for extension cannot be on September 5th, 2019. C. Tirone suggested that instead the Commission extend the permit for an additional two months, until October 15th, 2019, so that Solitude can be available for another public hearing. The Commission agreed that this was an appropriate action.

C. Tirone moved the extend DEP file #091-0277 for two months, until 10/15/2019, M. Nonni seconded, all were in favor, motion approved.

## **Request for Determination of Applicability: 72 Magnolia Street**

Documents Reviewed:

- 1) Request for Determination of Applicability Packet, dated 7/31/2019

Resource Areas:

- 1) 1% Annual Chance Flood Hazard Floodplain

A. Pietroforte presented the proposal to add a second floor addition to an existing home partially within the floodplain via a dormer and full gable, within the existing footprint. The proposal would not increase impervious surface area on the property, would not alter existing flood storage capacity, and would not change the property's landscaping. Appropriate erosion control including silt socks and a construction fence was included in the proposal.

C. Tirone motioned to issue a negative determination of applicability, S. Chapnick seconded, all were in favor, motion approved.

## **Enforcement Order: 0-Lot Pond Lane Parcel ID 121-6-2**

Documents Reviewed:

- 1) Enforcement Order, dated 8/7/2019
- 2) Notice of Enforcement Order, dated 8/7/2019

Resource Areas:

- 1) Spy Pond
- 2) 100-Foot Wetlands Buffer
- 3) AURA

E. Sullivan summarized that a resident clear-cut a section of vegetation on Park and Recreation Commission owned land. The vegetation removed included approximately 37 trees, ranging from 1 to 9 inches in diameter. The vegetation removal was conducted without Park and Recreation Commission and Conservation Commission approval. One small caliper tree was planted in the area, as well as some shrubs.

This site is within the 100-foot Buffer Zone/Adjacent Upland Resource Area associated with Spy Pond. E Sullivan conducted an inspection of the site to determine the extent of non-compliance on August 6, 2019. E. Sullivan stated that the resident in non-compliance had met with her and provided a summary of the work completed. E. Sullivan shared this summary with the Commission. E. Sullivan invited the resident to the September 5th, 2019 Commission meeting to discuss possible restoration with the Commission.

C. Tirone suggested that jute mat be installed onsite immediately to prevent any erosion or sedimentation into Spy Pond. S. Chapnick recommended that E. Sullivan meet with the Tree Warden and Recreation Director before the September 5th, 2019 meeting to determine what the Town would like to do to resolve this issue. P. Heidell suggested that the restoration plan, reflecting Town Departments' input, be created with the resident during the September

5th, 2019 meeting, rather than have the resident present a restoration plan proposal.

S. Chapnick motioned to ratify the Enforcement Order dated 8/7/2019 with the revisions discussed, P. Heidell seconded, all were in favor, motioned approved.

**Notice of Intent: 36 Peabody Road (continued from 6/20/2019)**

No DEP File Number assigned yet

The Applicant requested that the hearing be continued to the September 5th, 2019 meeting.

S. Chapnick moved to continue the hearing to the September 5th meeting, C. Tirone seconded, all were in favor, motion approved.

**Request for Determination of Applicability: 15 Parker Road (continued from 7/25/2019)**

The Applicant requested that the hearing be continued to the September 19th, 2019 meeting.

C. Tirone moved to continue the hearing to the September 19th meeting, M. Nonni seconded, all were in favor, motion approved.

**Notice of Intent: Spy Pond Sand Bar Dredging (continued from 7/25/2019)**

The Applicant requested that the hearing be continued to the September 5th, 2019 meeting.

S. Chapnick summarized her email communications with the Applicant's contractor, VHB, to perform Elutriate analyses of representative sediment samples to evaluate the potential of leaching of arsenic and lead from the contaminated dredge sediment during the drying process. Results should be available prior to the September 5, 2019 meeting.

S. Chapnick moved to continue the hearing to the September 5th meeting, P. Heidell seconded, all were in favor, motion approved.

Meeting adjourned at 9:00pm.